

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, MAY 7, 1990
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:26 p.m.
Mayor O'Connor adjourned the meeting at 4:58 p.m. to meet in Closed
Session at 9:30 a.m. Tuesday, May 8, 1990, in the twelfth floor
conference room on pending litigation and meet and confer matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (eb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

May-7-1990

ITEM-10: INVOCATION

Invocation was given by Pastor Robert Anderson, Union
Congregational Church of La Jolla.

FILE LOCATION: MINUTES

May-7-1990

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Bernhardt.

FILE LOCATION: MINUTES

* ITEM-50: (O-90-170) ADOPTED AS ORDINANCE O-17465 (New
Series)

Establishing a two-hour parking meter zone between the
hours of 8:00 a.m. and 6:00 p.m., Sundays and certain
holidays excepted, on both sides of University Avenue
between First Avenue and Third Avenue; authorizing the
installation of the necessary signs and markings.
(Uptown Community Area. District-8. Introduced on
4/23/90. Council voted 8-0. Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A389-438.)

CONSENT MOTION BY HENDERSON TO DISPENSE WITH THE READING AND ADOPT. Second by Roberts. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-51: (O-90-114) ADOPTED AS ORDINANCE O-17466 (New
Series)

Amending Chapter X, Article 3, Division 5, of the San Diego
Municipal Code, by amending Section 103.0526.16, relating
to the Mission Beach Planned District Parking Regulations.
(District-6. Introduced on 4/24/90. Council voted 7-1.
District 5 voted nay. District 8 not present.)

FILE LOCATION: LAND Mission Beach Planned District

COUNCIL ACTION: (Tape location: A389-439.)
MOTION BY HENDERSON TO DISPENSE WITH THE READING AND ADOPT.
Second by Roberts. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

* ITEM-100: (R-90-1600) ADOPTED AS RESOLUTION R-275638

Awarding a contract to San Diego Turf for miscellaneous
turf sweeping equipment for a total cost of \$77,857.06,
including tax and terms; authorizing the expenditure of
an amount not to exceed \$77,857.06 (\$44,647.10 from
Department No. 443, Organization No. 550, Object Account
No. 6010, Job Order No. 044355, and \$33,209.96 from
Department No. 443, Organization No. 520, Object Account
No. 6010, Job Order No. 044352) for said project and
related costs; authorizing the Auditor and Comptroller,
upon advice from the administering department, to
transfer excess budgeted funds, if any, to the
appropriate reserves. (BID-G1339/90)

Aud. Cert. 9000908.

FILE LOCATION: CONT-Purchase-San Diego Turf
CONTFY90-1

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-101: (R-90-1591) ADOPTED AS RESOLUTION R-275639

Awarding contracts to Scott Machinery Company and Case Power & Equipment, for a total cost of \$560,733.04, as follows:

1. Scott Machinery Company for Item 1 - two tractor loaders.
2. Case Power & Equipment for Item 2 - two articulated 4x4 tractors; Item 3 - six agriculture tractors, Item 4 - two tractor mowers, Item 5 - four tractor-loader-backhoes, Item 8 - one tractor loader.

Authorizing the expenditure of an amount not to exceed \$560,733.04 for providing funds for said project and related costs:

Scott Machinery

Fund	Dept.	Acct.	Job Order	Amount
50031	8201	6013	88090	\$ 57,345.51
50031	8201	6013	88070	34,407.30
50033	8203	6013	88070	22,938.20
				\$ 114,691.01

Case Power & Equipment

Fund	Dept.	Acct.	Job Order	Amount
50031	8201	6013	88090	\$ 392,342.97
50031	8201	6013	88070	30,469.22
50033	8203	6013	88070	23,229.84
				\$ 446,042.03

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

Aud. Cert. 9000892.

FILE LOCATION: CONT-Purchase Scott Machinery Company, Case Power & Equipment CONFY90-2

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-102: (R-90-1601) ADOPTED AS RESOLUTION R-275640

19900507

Inviting bids for the Removal of Architectural Barriers for the Handicapped - Contract C on Work Order No. 119367; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$60,000 from DIF Fund No. 79527, CIP-52-461.0, Architectural Barriers Removal - Torrey Pines, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K1439/90)
(Torrey Pines Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The project will install pedestrian ramps at various locations in the community area of Torrey Pines. The ad hoc Committee for the Removal of Architectural Barriers (CRAB) was consulted and the specific areas of placement of pedestrian ramps were coordinated with this committee.

Aud. Cert. 9000886.

FILE LOCATION: W.O. 119367 CONT - ROCA Construction, Inc.
CONFY90-1

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-103: (R-90-1602) ADOPTED AS RESOLUTION R-275641

19900507

Inviting bids for the Removal of Architectural Barriers for the Handicapped - Contract D on Work Order No. 119368; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$60,000 from DIF Fund No. 79528, CIP-52-461.0, Architectural Barriers Removal - University City South, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K1440/90)
(University City South Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The project will install pedestrian ramps at various locations in the community area of University City South. The ad hoc Committee for the Removal of Architectural Barriers (CRAB) was consulted and the specific areas of placement of pedestrian ramps were coordinated with this committee.

Aud. Cert. 9000885.

FILE LOCATION: W.O. 119368 CONT - ROCA Construction, Inc.
CONFY90-1

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-104:

Two actions relative to the final subdivision map of McBrayer Estates, a 9-lot subdivision located southwesterly of Palm Avenue and My Way:
(Otay Mesa-Nestor Community Area. District-8.)

Subitem-A: (R-90-1772) ADOPTED AS RESOLUTION R-275642

Subdivision Improvement Agreement with C.H. McBrayer and Pauline McBrayer, for the installation and completion of public improvements.

Subitem-B: (R-90-1771) ADOPTED AS RESOLUTION R-275643

Approving the final map.

FILE LOCATION: Subitems A and B SUBD - McBrayer Estates
CONFY90-1

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-105: (R-90-1770) ADOPTED AS RESOLUTION R-275644

Approving the final subdivision map of Sorrento Hills Corporate Center Phase 1, Unit No. 3, a 2-lot subdivision

located northwesterly of Carmel Mountain Road and El Camino Real.
(Sorrento Hills Community Area. District-1.)

FILE LOCATION: SUBD-Sorrento Hills Corporate Center Phase
I, Unit No. 3

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-106: (R-90-1716) ADOPTED AS RESOLUTION R-275645

Approving the acceptance by the City Manager of a street
easement deed of Robert Krushensky, granting to the City an
easement for public street purposes in a portion of Lot 97
of Rosemont Addition to Encanto Heights, Map-1133;
dedicating said land as and for a public street and naming
the same Radio Drive.
(Southeast San Diego Community Area. District-3.)

FILE LOCATION: DEED F-5265 DEEDFY90-1

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107: (R-90-1747) ADOPTED AS RESOLUTION R-275646

Approving the acceptance by the City Manager of an open
space easement deed, to be subsequently executed by
Tierrasanta L-L Partnership, granting to the City Parcels
A, B and C of Tierrasanta Norte I Unit No. 1, Map-12187.
(Tierrasanta Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: This action requests the
acceptance of a donation of three parcels of land totalling
0.194 acre, of open space, from the Lusk Company. This land
will be incorporated into existing designated open space
property immediately to the north and adjacent to the parcels.

FILE LOCATION: DEED F-5266 DEEDFY90-1

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-108: (R-90-1714) ADOPTED AS RESOLUTION R-275647

Recognizing Lee Trepanier for his exceptionally meritorious work in both sports and education; recognizing Coach Trepanier's stellar efforts as a hallmark for both sports and academics.
(District-2.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-109: (R-90-1752) ADOPTED AS RESOLUTION R-275648

Recognizing and congratulating Stephen Zolezzi on celebrating Stefano's Restaurant's twenty-fifth anniversary, and for outstanding contributions to the San Diego community. (District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-110: (R-90-1727) ADOPTED AS RESOLUTION R-275649

Authorizing the execution of an agreement with the California Department of Transportation, stating that the City use fiber optic interconnect cable on the one-way

couplet of Grape Street and Hawthorn Street between Harbor Drive and State Street and retime the interconnected traffic signals; authorizing the City Manager to accept a Petroleum Violation Escrow Account grant from the California Department of Transportation in the amount of \$350,000 for the Grape Street/Hawthorn Street Traffic System Management Project; authorizing the City Auditor and Comptroller to establish Capital Outlay Grant Fund 38018, "Grape/Hawthorn Street Traffic System Management Project"; authorizing the expenditure of an amount not to exceed \$350,000 from CIP-68-008.0, Annual Allocation, Traffic Signal Subsystems, Fund 38018, for the purpose of providing funds for the above project.

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The State of California is making available financial assistance to local governments for projects that provide energy savings through improvements in

traffic signal equipment and timing. The State appropriated \$6,300,000 for money received by the State from Federal Oil overcharge funds in the Petroleum Violation Escrow Account. The City of San Diego has been awarded \$350,000 to install a fiber optic interconnect for the traffic signals along the Grape Street/Hawthorn Street one-way couplet between Harbor Drive and State Street. The traffic signal controller equipment will be modernized and the signal timing will be optimized. It is estimated that the project will save motorists 547,500 gallons of fuel annually due to reduced stops and delay as a result of this project. This signal optimization project is a part of the transportation systems management effort of the City's Mobility Program, which was approved by Council action last summer.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-111: (R-90-1787) **ADOPTED AS RESOLUTION R-275650**

Authorizing the execution of an amendment to the agreement with the County of San Diego, for the purpose of extending such agreement to sell Dial-A-Ride coupons to the County's

Multipurpose Senior Services Program and Linkages Program, together with any modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary to carry out the purposes and intent of this project and agreement.

CITY MANAGER SUPPORTING INFORMATION: The County of San Diego's Multipurpose Senior Services Program (MSSP) and Linkages Program provide comprehensive case management services to low income elderly and disabled individuals who require assistance in maintaining an independent life-style. A major aspect of both programs is the funding of transportation services for clients, many of whom are city residents eligible to purchase Dial-A-Ride coupons at 75 percent or 85 percent discount. The coupons enable the individual to purchase taxicab or lift-equipped van services from any of 27 registered providers. These agreements allow the County of San Diego to purchase Dial-A-Ride coupons: (1) at 25 percent of face value for distribution to their clients who are eligible for the City's monthly allocation for taxi trips; (2) at 15 percent for distribution to their clients who are eligible for the City's monthly allocation for wheelchair lift-equipped van services;

(3) at 100 percent for distribution to their clients in excess of the City's monthly allocation; and (4) at 100 percent for their clients who are not eligible for the City's subsidy. The County will distribute the coupons to clients and pay the City monthly. The City entered into similar agreements with the County for FY 1986, 87, 88, 89, and 90.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-112: (R-90-1383) ADOPTED AS RESOLUTION R-275651

Authorizing the execution of an agreement with the Copley Family YMCA for the renovation of the facility at 3901 Landis Street, together with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary to carry out the purposes and intent of the project and agreement;

authorizing the expenditure of an amount not to exceed \$75,000 from CIP-37-214, Copley Family YMCA, (\$30,000 from CDBG Fund No. 18524, Dept. 5662, Org. 6201 and \$45,000 from CDBG Fund No. 18525, Dept. 5882, Org. 8205), for the purpose of providing funds for the above project.

(East San Diego Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The Copley Family YMCA is located at 3901 Landis Street. This project is the second phase of an on-going renovation of the facility. Previous Community Development Block Grant funds provided for partial interior renovation and a new parking lot. This phase of the project is funded by Fiscal Year 1988 and Fiscal Year 1989 monies and will continue the renovation program. This Phase will include reroofing, installation of an alarm system, enlargement of the weight room and upgrading the existing men's locker room. Copley YMCA has selected an architect and plans for this renovation are in progress.

Aud. Cert. 9000727.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-113: (R-90-1749) ADOPTED AS RESOLUTION R-275652

Authorizing the execution of a City participation agreement with Mobil Oil Corporation for relocation of the traffic signal at the southwest corner of Governor Drive and Genesee Avenue; authorizing the expenditure of an amount not to exceed \$22,600 from Proposition A Fund 30300, Annual Allocation, Cooperative Signal Projects, CIP-68-001, for the purpose of providing funds for the above project.

(University City Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: As a condition of Conditional Use Permit CUP-89-0326, Mobil Oil is required to widen Governor Drive adjacent to the property. As a result of this work the existing traffic signal at the southwest corner of Governor Drive and Genesee Avenue needs to be relocated. This action authorizes City participation in and toward the relocation of the traffic signal system at said location, and

authorizes the expenditure of \$22,600 from CIP-68-001,
Cooperative Traffic Signal Projects.
Aud. Cert. 9000884.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-114: (R-90-1712) ADOPTED AS RESOLUTION R-275653

Authorizing the execution of a first amendment to the
agreement with Ninyo & Moore Geotechnical Consultants, to
increase the amount of the contract from \$80,000 to
\$90,000.

CITY MANAGER SUPPORTING INFORMATION: In 1988, the City
entered into agreements with three geotechnical consultant
firms, one of which was Ninyo & Moore Geotechnical Consultants.
They were hired to review Geotechnical Reports submitted by
private engineers for land development and public improvements.
The agreements, which expired on December 31, 1989, were not to
exceed an aggregate amount of \$80,000 over the two-year period.
Ninyo & Moore has been paid a total of \$78,325.81 for review of
several projects. However, we have three unpaid bills for
services provided in 1989, totalling \$9,248.10. We need to
amend the agreement and increase the amount of the contract in
order to be able to pay these bills. The developers have
deposited sufficient funds in their work order accounts to cover
the costs.
Aud. Cert. 9000856.

FILE LOCATION: MEET CCONTFY90-1

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-115:

Two actions relative to agreements with Women's Civic

League and San Ysidro Family Health Center:
(Logan Heights and San Ysidro Community Areas. Districts-4
and 8.)

Subitem-A: (R-90-1728) ADOPTED AS RESOLUTION R-275654

Authorizing the execution of an agreement with Women's
Civic League, for the renovation of their facilities;
authorizing the expenditure of an amount not to exceed
\$7,000 from CIP-37-206.0, Women's Civic League, CDBG Fund
18522, Dept. 5862, Org. 6209, for the purpose of providing
funds for the above project.

Subitem-B: (R-90-1729) ADOPTED AS RESOLUTION R-275655

Authorizing the execution of an agreement with San Ysidro
Family Health Center, for the renovation of their
facilities; authorizing the expenditure of an amount not to
exceed \$202,000 from CIP-37-226, San Ysidro Family Health
Center, CDBG Fund 18525, Dept. 5882, Org. 8202, for the
purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: The Women's Civic League
is a non-profit social service agency with facilities located at
2972 Clay Ave. The renovation work to be done will include
interior and exterior painting, an alarm system, and minor
electrical and mechanical work. The San Ysidro Health Center is
a multi-service non-profit medical clinic located at 4004 Beyer
Blvd. This project will add approximately 1,200 square feet to
the existing building and provide for the renovation and
expansion of several service areas.
Aud. Cert. 9000870.

FILE LOCATION: Subitems A & B MEET CONFY90-2

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-116: (R-90-1804) ADOPTED AS RESOLUTION R-275656

Approving Change Order No. 1, dated March 20, 1990, issued
in connection with the contract with Carolyn E. Scheidel,

Contractor for the Reconstruction of the Cross-gutter on Westonhill Drive at Arcturus Way, amounting to a net increase in the contract price of \$8,714; authorizing the City Auditor to transfer \$15,000 from CIP-58-004, Proposition "A" Fund 30300, Annual Allocation - Miscellaneous Requirements - City Streets, to CIP-17-001, for the purpose of funding this change order; authorizing the expenditure of an amount not to exceed \$15,000 from CIP-17-001 for the purpose of providing funds for Change Order No. 1 and additional construction engineering costs. (Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On November 3, 1989, the City Council authorized the City Manager to execute a contract with Carolyn E. Scheidel for the "Reconstruction of the Cross-Gutter on Westonhill Drive at Arcturus Way." During the construction, the contractor found the subgrade beneath the existing cross-gutter to be wet clayey soil, an unforeseen condition. In order to expedite the work in this well-traveled roadway fronting Erickson Elementary School, twelve inches of wet clayey soil was removed and replaced with selected material. To pay for this construction work, a total of \$8,714 is required for this change order. Additional construction engineering of

\$4,386 is needed to pay for the additional soils testing and inspection of the project, and to as-built and close off the project.
Aud. Cert. 9000911.

FILE LOCATION: CONT - Carolyn E. Scheidel Contractor
CONTFY90-1

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-117:

Nine actions relative to Youth Sports Permit Renewals -
1990 Season:

Subitem-A: (R-90-1756) ADOPTED AS RESOLUTION R-275657

Authorizing the execution of a Permit Agreement with Balboa Little League and Senior League, for the construction,

operation and maintenance of a ball park.
(Clairemont Community Area. District-6.)

Subitem-B: (R-90-1757) ADOPTED AS RESOLUTION R-275658

Authorizing the execution of a Permit Agreement with
Chollas Lake Little League, for the construction, operation
and maintenance of a ball park.
(Mid-City Community Area. District-3.)

Subitem-C: (R-90-1758) ADOPTED AS RESOLUTION R-275659

Authorizing the execution of a Permit Agreement with
Clairemont Bobby Sox, for the construction, operation and
maintenance of a ball park.
(Clairemont Community Area. District-6.)

Subitem-D: (R-90-1759) ADOPTED AS RESOLUTION R-275660

Authorizing the execution of a Permit Agreement with Rancho
Bernardo Recreation Council, for the construction,
operation and maintenance of a ball park.

(Rancho Bernardo Community Area. District-1.)

Subitem-E: (R-90-1760) ADOPTED AS RESOLUTION R-275661

Authorizing the execution of a Permit Agreement with
Presidio Little League, for the construction, operation and
maintenance of a ball park.
(Mission Valley Community Area. District-5.)

Subitem-F: (R-90-1761) ADOPTED AS RESOLUTION R-275662

Authorizing the execution of a Permit Agreement with San
Carlos Little League and Senior League, for the
construction, operation and maintenance of a ball park.
(Navajo Community Area. District-7.)

Subitem-G: (R-90-1762) ADOPTED AS RESOLUTION R-275663

Authorizing the execution of a Permit Agreement with
Sunshine Little League, for the construction, operation and
maintenance of a ball park.
(East San Diego Community Area. District-3.)

Subitem-H: (R-90-1763) ADOPTED AS RESOLUTION R-275664

Authorizing the execution of a Permit Agreement with
Sunshine Pony and Colt League, for the construction,
operation and maintenance of a ball park.

(East San Diego Community Area. District-3.)

Subitem-I: (R-90-1764) ADOPTED AS RESOLUTION R-275665

Authorizing the execution of a Permit Agreement with San
Diego Unified School District, for the construction,
operation and maintenance of a ball park.

(East San Diego Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: Council Policy 700-3
provides for unused City-owned lands to be made available for
the construction, operation, and maintenance of youth ball
fields on an annual basis. Except for the San Diego Unified
School District, all of the youth sports organizations which are
listed in the resolution operated these ball fields last year
under this program and have requested renewal of their
agreements for 1990. The San Diego Unified School District is
requesting a permit this year for Lincoln High School to share a
field with the Sunshine Pony and Colt League. The current
facilities at the school are considered to be inadequate for
competitive high school baseball. Each league pays a \$100

processing fee, carries public liability insurance protecting
the City, and is responsible for complete maintenance of its
ball field or fields. In turn, the City pays for water service
out of the Park and Recreation Department's budget and does not
charge the leagues rent for use of the land. In light of the
relationship between the City and the School District in respect
to recreational activities, the City Manager proposes to waive
the School District's payment of a processing fee.

WU-PR-90-138.

FILE LOCATION: Subitem-A LEAS-Youth Sports-Balboa Little
League and Senior League, Subitem-B
LEAS-Youth Sports-Chollas Lake Little
League, Subitem-C LEAS-Youth
Sports-Clairemont Bobby Sox, Subitem-D
LEAS-Youth Sports-Rancho Bernardo Recreation
Council, Subitem-E LEAS-Youth
Sports-Presidio Little League, Subitem-F

LEAS-Youth Sports-San Carlos Little League
and Senior League, Subitem-G LEAS-Youth
Sports-Sunshine Little League, Subitem-H
LEAS-Youth Sports-Sunshine Pony and Colt
League, Subitem-I LEAS-Youth Sports-San
Diego Unified School District
LEASFY90-9

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-150:

Two actions relative to the Mission Bay Park Shoreline
Stabilization and Restoration Project Plan and the Mission
Bay Park Natural Resource Management Plan:
(See City Manager Report CMR-90-179. Mission Bay Community
Area. District-6.)

Subitem-A: (R-90-1765 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-275666

19900507

Adopting the Mission Bay Park Shoreline Stabilization and
Restoration Project Plan and the Mission Bay Park Natural
Resource Management Plan, which includes the plan changes
resulting from consultation with concerned groups, as
outlined in Attachment "A" of City Manager Report
CMR-90-179; accepting the recommendations set forth in City
Manager Report CMR-90-179; directing the City Manager, in
conjunction with the City Planning Director, to prepare a
reporting/monitoring program as a condition for the
approval of each individual project within the overall
Project Plan and the Management Plan that requires
mitigation, pursuant to the Public Resources Code Section
21081.6.

Subitem-B: (R-90-1766 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-275667

Certifying that the information contained in Environmental Impact Report DEP-89-0225, in connection with the Mission Bay Park Shorelines Stabilization and Restoration Project

Plan and the Mission Bay Park Natural Resources Management Plan, dated December 1, 1989, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council; adopting the findings in DEP-89-0225 and the Statement of Overriding Considerations for significant unmitigated impacts; declaring that the requirements of Public Resources Code Section 21081.6 respecting mitigation and monitoring have been identified in the Resolution approving the project.

COMMITTEE ACTION: Reviewed by PFR on 4/25/90. Recommendation to approve the City Manager's recommendation. Districts 3, 6, 7 and 8 voted yea. District 1 not present.

FILE LOCATION: Subitems A and B MEET

COUNCIL ACTION: (Tape location: A480-C635.)

MOTION BY HENDERSON TO APPROVE THE STAFF RECOMMENDATIONS AND ADOPT THE EIR RESOLUTION, SUBJECT TO ELIMINATING THE COURSE GRAIN SAND PROJECTS, AND DIRECT THE CITY MANAGER TO BRING BACK TO COUNCIL IN ONE YEAR THE RESULTS OF A COARSE GRAIN SAND PILOT TEST AND RECOMMENDATIONS. DIRECT THE CITY MANAGER TO REPORT BACK TO COUNCIL IN 60 DAYS ON THE ESTIMATED MITIGATION AND MONITORING COSTS. ENCOURAGE THE CITY MANAGER TO LOOK TO OTHER SOLUTIONS IN SOLVING THE PRESERVED PERIMETER DREDGING PROBLEM. DIRECT THE CITY MANAGER TO REPORT PERIODICALLY TO PFR ON THE PROGRESS IN REMOVING THE SLUDGE BEDS FROM FIESTA ISLAND. DIRECT THE CITY MANAGER TO CONTINUE WITH THE TECHNICAL ADVISORY COMMITTEE AND TO REVIEW AND REPORT ON VARIOUS PROJECTS COMING FORTH. DIRECT THE CITY MANAGER TO REVISE THE FINDINGS AND DELETE THE STATEMENT OF OVERRIDING CONSIDERATIONS ASSOCIATED

WITH THE EIR. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-nay, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Substitute motion by Hartley to continue for 60 days for staff to work with the community groups and the citizen technical group, to see if some of the issues can be resolved, and to look at alternatives to the hardscape, the dredge line, and the one-to-one mitigation and to report back to Council with recommendations. Second by Wolfsheimer. Failed by the following vote: Yeas-1,3. Nays-2,5,6,7,8. Not present-4,M.

ITEM-200: (R-90-1801) ADOPTED AS RESOLUTION R-275668

Council confirmation of the appointment by the Mayor of Linda R. Brown to the Advisory Board on Women, for a term ending March 1, 1991, to replace Su-Mei Yu, who has resigned.

(See memorandum from Mayor O'Connor dated 4/27/90 with resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S400: PRESENTATION MADE

In the matter of a presentation from the Holiday Bowl Board of Directors, regarding the "economic impact" of the 1989 Holiday Bowl.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A062-375.)

MOTION BY HENDERSON TO ACCEPT THE REPORT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S401: (R-90-1730) CONTINUED TO MAY 14, 1990

(Continued from the meeting of April 30, 1990, Item 110, at Councilmember Bernhardt's request, to allow time for the City Attorney and City Manager to respond to concerns expressed by Mr. Beam of Luce, Forward, Hamilton & Scripps, and to report back to Council.)
Amending Council Policy 600-15, regarding Street Vacations and Easement Abandonments.
(See City Manager Report CMR-90-118 and Committee Consultant Analysis TLU-90-17.)

COMMITTEE ACTION: Initiated and reviewed by TLU on 3/26/90.
Recommendation to approve the City Manager's recommendation and recommend approval to Council. Districts 1, 2, 4, 5 and 8 voted yea.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D028-390.)

Motion by Bernhardt approve the City Manager's recommendations with amendments 10G proposed by Attorneys for Mr. Beam for paragraph 4. Second by Filner. Motion withdrawn.

MOTION BY BERNHARDT TO CONTINUE TO MAY 14, 1990 AT THE REQUEST OF THE CITY ATTORNEY TO PREPARE LANGUAGE THAT WOULD EXEMPT MR. BEAM'S PROJECT AND AT THE REQUEST OF COUNCIL MEMBER BERNHARDT FOR A REPORT FROM THE CITY MANAGER AND THE PLANNING DEPARTMENT ON THE CURRENT NUMBER OF PROJECTS THAT WOULD BE AFFECTED BY THE PROPOSED POLICY. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S402: (R-90-1823) ADOPTED AS RESOLUTION R-275669

Council confirmation of the appointment by the Mayor of Marilyn H. Fowler, to the International Affairs Board, for a two-year term ending March 1, 1992, to replace Patrick Ryan, whose term has expired.
(See memorandum from Mayor O'Connor dated 4/26/90 with resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed

by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S403: (R-90-1822) ADOPTED AS RESOLUTION R-275670

Council confirmation of the reappointment by the Mayor of Walter L. Palmer, to the Old Town San Diego Planned District Review Board, for a term ending March 1, 1992, representing the Community Planning Committee category. (See memorandum from Mayor O'Connor dated 4/26/90.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

19900507

* ITEM-S404: (R-90-1824) ADOPTED AS RESOLUTION R-275671

Authorizing the execution of an agreement with HomeFed Bank for the purpose of settling the litigation entitled Home Federal Savings and Loan Association v. U.S. Grant Hotel Associates.

CITY MANAGER SUPPORTING INFORMATION: 1. Home Federal will pay the City \$750,000 upon execution of a mutually agreeable settlement agreement and will promise to pay an additional amount of \$1,250,000 on the fifth anniversary of the settlement date; the promise to pay the \$1.25 million will be evidenced by a note(s) from the bank payable in five years at no interest and will be negotiable. Twelve of the notes will be in the principal amount of \$100,000 and one note in the amount of \$50,000, payable by Home Federal Savings Bank (successor entity to Home Federal Savings and Loan Association). 2. The City will assure and preserve Home Federal's current development rights on the hotel site for ten years, which would allow Home

Federal or its successors in interest to construct an additional building of 900,00 square feet on the garage site including 200,000 square feet devoted to parking (two floors of which would be underground and seven floors of which would be aboveground). All of this development would be subject to design review by the City and would pay any and all fees applicable at time of application for permits. 3. The City Manager would provide for the partial closure of streets adjoining the construction site and the City would use its best efforts to assist Home Federal in obtaining the ability to create a workspace above C Street and the MTDB trolley line by appropriate overhead protection. 4. The parties would agree to a "mutual good faith" settlement announcement setting forth these terms and no other statements regarding the case would be made or issued by either party.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S405:

Two actions relative to the City's Misdemeanor
Pre-arraignment Detention Facility:

Subitem-A: (R-90-1847) ADOPTED AS RESOLUTION R-275672

Authorizing the City Manager to execute a ground lease with the County of San Diego for the construction and operation of a proposed 200-inmate Misdemeanor Pre-arraignment Detention Facility at the East Mesa Correctional Complex, for a term of 10 years and a specified rent of \$1.00 with additional consideration being a commitment to pay the County \$37,500 per quarter commencing April 1, 1991, plus 50 percent of any increase in fines and forfeitures from vehicle code and misdemeanor statutory violations during the lease term; with additional consideration being an obligation to pay the County 25 percent of all such increases in fines and forfeitures following the lease

expiration.

Subitem-B: (R-90-1848) ADOPTED AS RESOLUTION R-275673

Certifying that the information contained in Environmental Impact Report EIR-86-19-43, prepared by the County of San Diego, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: On April 3, 1990, the San Diego City Council approved a Memorandum of Understanding (M.O.U.) with the County of San Diego regarding jails. One portion of the M.O.U. was an agreement that the County lease land at the East Mesa Correctional Complex to the City for \$1.00 per year for the City's Misdemeanor Pre-arraignment Detention Facility. The ground lease establishes terms and conditions stated in the M.O.U. The operating conditions therein will be included in a sub-lease and operating agreement with Wakenhut Corrections Corporation to be presented for Council action in a few weeks.

FILE LOCATION: Subitems A and B LEAS-County of San Diego
East Mesa Correctional Complex
LEASFY90-1

COUNCIL ACTION: (Tape location: A438-470.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S406: TRAILED TO MAY 8, 1990

In the matter of a Report from the Management Team concerning Meet and Confer.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D396-398.)

At the request of the City Manager the matter was trailed to May 8, 1990.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell on information that could affect the HDO.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D430-439.)

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 4:58 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D445).